

UNITED STATES OF AMERICA,)	No. 12-03045-01/02-CR-S-RED
)	
Plaintiff,)	COUNT 1
)	21 U.S.C. §§ 846 and 841(a)(1) and
v.)	(b)(1)(A)
)	NLT 10 Years Imprisonment
CHARLES FREDERICK WHITE,)	NMT \$10,000,000 Fine
[DOB: 04-20-1940])	NLT 5 Years Supervised Release
)	Class A Felony
and)	
)	COUNT 2
ANTHONY LYNN BEARDEN,)	21 U.S.C. § 841(a)(1) and (b)(1)(A)
[DOB: 09-05-1982])	NLT 10 Years Imprisonment
)	NMT \$10,000,000 Fine
Defendants.)	NLT 5 Years Supervised Release
)	Class A Felony
)	
)	COUNT 3
)	18 U.S.C. § 922(g)(1) and 924(e)
)	NLT 15 Years Imprisonment
)	NMT \$250,000 Fine
)	NMT 5 Years Supervised Release
)	Class A Felony
)	
)	COUNT 4
)	18 U.S.C. § 924(c)(1)(A)
)	NLT 5 Years Imprisonment
)	NMT \$250,00 Fine
)	NMT 5 Years Supervised Release
)	Class A Felony
)	
)	FORFEITURE ALLEGATION 1
)	21 U.S.C. § 853
)	
)	FORFEITURE ALLEGATION 2
)	18 U.S.C. § 924(d)
Defendants/Counts:)	
White: Counts 1 & 2, FA 1)	
Bearden: Counts 1-4, FA 2)	\$100 Special Assessment (Each Count)

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

Beginning in or about the month of January 2012, and continuing to on or about January 30, 2013, in Polk County, in the Western District of Missouri, and elsewhere, the defendants, **CHARLES FREDERICK WHITE** and **ANTHONY LYNN BEARDEN**, knowingly and intentionally conspired and agreed together and with each other, and with other persons known and unknown to the Grand Jury, to manufacture 1,000 or more marijuana plants, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), all in violation of Title 21, United States Code, Section 846.

COUNT 2

From in or about the month of January 2012 and continuing up to and including March 21, 2012, in Polk County, in the Western District of Missouri, the defendants, **CHARLES FREDERICK WHITE** and **ANTHONY LYNN BEARDEN**, aiding and abetting each other, knowingly and intentionally manufactured 1,000 or more marijuana plants, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A) and Title 18, United States Code, Section 2.

COUNT 3

On or about January 30, 2013, in Dallas County, in the Western District of Missouri, the defendant, **ANTHONY LYNN BEARDEN**, having three previous convictions for a violent felony or a serious drug offense, or both, committed on occasions different from one another, knowingly possessed, in and affecting interstate commerce, firearms, to wit: a Century International Arms Model M70AB2 7.62x39-caliber rifle, serial number M70AB03192, and a Savage Arms Model 720 12-gauge shotgun, serial number 69137, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT 4

On or about March 21, 2013, in Greene County, in the Western District of Missouri, the defendant, **ANTHONY LYNN BEARDEN**, knowingly possessed firearms, to wit: a Century International Arms Model M70AB2 7.62x39-caliber rifle, serial number M70AB03192, and a Savage Arms Model 720 12-gauge shotgun, serial number 69137, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: conspiracy to manufacture a controlled substance, in violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION 1

The allegations contained in Count 1, above, are hereby incorporated as though fully set forth herein for the purpose of charging criminal forfeiture to the United States of America pursuant to Title 21, United States Code, Section 853.

As a result of committing the violation alleged in Count 1, the defendant, **CHARLES FREDERICK WHITE**, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds the said defendants obtained, directly or indirectly, as a result of the said violation, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the said violation, including but not limited to, the following described lots, tracts, or parcels of land, lying, being, and situated in the County of Polk and State of Missouri, to wit:

1. The East Half of the North Half of the Northeast Quarter of the Northeast quarter of Section 10, Township 35, Range 22, all in Polk County, Missouri, subject to existing roads and easements; and
2. The Northwest Quarter of the Northeast Quarter of Section 11, Township 35, Range 22, Polk County, Missouri, subject to roads and easements of record and also subject to a flowage easement given to the United States of America recorded in Book 274, Page 429 of the Deed Records of Polk County, Missouri.

If any of the property described above, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

FORFEITURE ALLEGATION 2

The allegations contained in Counts 3 and 4, above, are hereby incorporated as though fully set forth herein for the purpose of charging criminal forfeiture to the United States of America pursuant to Title 18, United States Code, Section 924(d).

As a result of committing offenses in violation of Title 18, United States Code, Sections 922 and 924, as charged herein, **ANTHONY LYNN BEARDEN**, the defendant, shall forfeit to the United States all firearms and ammunition involved in the particular aforesaid offenses as set forth above, including but not limited to:

1. A Century International Arms Model M70AB2 7.62x39-caliber rifle, serial number M70AB03192, seized from the defendant's automobile on or about January 30, 2013;
2. Savage Arms Model 720 12-gauge shotgun, serial number 69137, seized from the defendant's automobile on or about January 30, 2013; and
3. All ammunition seized from the defendant's automobile on or about January 30, 2013.

A TRUE BILL.

/s/
FOREPERSON OF THE GRAND JURY

/s/ Timothy A. Garrison
TIMOTHY A. GARRISON
Assistant United States Attorney